



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

December 13, 2012

REPLY TO THE ATTENTION OF:

Margrethe Kearney  
Latham & Watkins LLP  
233 S. Wacker Drive, Suite 5800  
Chicago, IL 60606

Re: Northern States Power/Ashland Lakefront Site

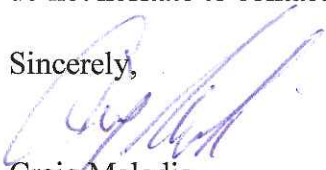
Dear Margrethe:

I am in receipt of your December 11, 2012 letter regarding sampling protocols the City of Ashland and Northern States Power will use at the Site for split samples taken pursuant to the work under the RD/RA Consent Decree and for additional samples the City and NSP may choose to take in addition to the approved sampling under the RD/RA Consent Decree. I am also in receipt of Dick Yde's letter dated December 12, 2012, further clarifying the City's understanding of the sampling protocol.

I write to clarify and correct the last sentence under paragraph 2 of your letter that any samples the parties take that are not part of an approved work plan and QAPP will not be considered part of the administrative record and shall not be used for agency decision-making related to the Site. On the December 7<sup>th</sup> conference call between EPA, the City and NSP, Scott Hansen and I explained that any additional samples the City and/or NSP decide to take that are not under the approved work plan and QAPP will not be part the RD/RA Consent Decree or used by EPA for the Phase I work under the RD/RA Consent Decree. Any such sampling, however, may be used by EPA for other purposes if the sampling is otherwise valid.

I appreciate your effort to work cooperatively with the City and to document the agreed upon sampling protocols. Should you have any questions or wish to discuss this further please do not hesitate to contact me at (312) 353-8870.

Sincerely,

  
Craig Melodia  
Associate Regional Counsel

cc: Richard Yde  
Krtisten Carney  
Scott Hansen  
Jamie Dunn